

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE P.R.RAMAN

MONDAY, THE 19TH FEBRUARY 2007 / 30TH MAGHA 1928

CRP.No. 2089 of 2003()

OP(ELE.)56/1994 of I ADDL. DISTRICT COURT, KOLLAM
.....

REVN. PETITIONER:

SULAIMAN RAWTHER, ANISH MANZIL,
PARAMBIL PUTHEN VEEDU, PANAPPETTI,
PORUVAZHI P.O.

BY ADV. SRI.K.A.SALIL NARAYANAN

RESPONDENTS:

KERALA STATE ELECTRICITY BOARD,
REPRESENTED BY ITS SECRETARY.

BY ADV. SRI.JOSE J.MATHEIKEL, SC FOR KSEB.

THIS CIVIL REVISION PETITION HAVING BEEN FINALLY HEARD
ON 19/02/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

P.R.RAMAN, J.

C.R.P.NO.2089 OF 2003

Dated this the 19th day of February, 2007

O R D E R

This revision is filed against the order passed by the District Court, Kollam in O.P. (Electricity) No.56/94 awarding compensation to the petitioner for the damages suffered due to the drawing of 110 KV electric line over the property. The only contention raised by the learned counsel for the petitioner is that towards the diminution in the land value 10% of the market value has been awarded, which is too low. But the court below has found that based on the commission report the petitioner was actually cultivating seasonal crops under the transmission line and hence it is not shown that the cultivation of seasonal crops, even after the drawing of electric line, is

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not possible. Drawing of electric line over the property will not affect the cultivation of seasonal crops. The District Court has fixed at Rs.4,000/- per cent as the market value and worked out the diminution in the land value at 10% over the total extent of the land affected and an amount of Rs.16,800/- was awarded with interest at 9% per annum. I do not find any reason to give further enhancement towards the diminution in the land value in the absence of any materials placed on record to claim such enhancement.

C.R.P. is dismissed.

P . R . RAMAN ,
Judge .

kcv.